

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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STRIKE 3 HOLDINGS, LLC,

Plaintiff,

vs.

**JOHN DOE SUBSCRIBER ASSIGNED IP
ADDRESS 76.117.94.168,**

Defendant.

Hon. Michael A. Shipp, U.S.D.J.

Case No. 3:18-cv-16593-MAS-TJB

CIVIL ACTION

**NOTICE OF MOTION
TO CLAWBACK
INADVERTENTLY FILED
DOCUMENT PER FRCP 502**

Return Date: May 6, 2019

TO: John C. Atkin, Esq.
Fox Rothschild LLP
Princeton Pike Corporate Center
997 Lenox Drive, Building 3
Lawrenceville, NJ 08648-2311

PLEASE TAKE NOTICE that on **May 6, 2019**, at 10:00 a.m., or as soon thereafter as counsel be heard, defendant John Doe subscriber assigned IP address 76.117.94.168 shall move before the Hon. Michael A. Shipp, U.S.D.J., United States District Court, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey, granting defendant's **Motion to Clawback and replace an inadvertently filed document with defendant's prior Motion to Quash a subpoena served on Comcast (and other relief)** in the above captioned matter, pursuant to Rule 502 of the Federal Rules of Civil Procedure, to prevent plaintiff from

using or relying on any privileged or confidential information in the original version of the filed documents, and to require plaintiff to destroy all copies of the original document.

Your response hereto is due within the applicable time period provided by the Federal Rules of Civil Procedure.

Notice of Limited Appearance: Defendant has not been served with process in this case, and this Motion is not to be construed as a general appearance. Defendant only makes this Motion as a special, limited appearance, and does not waive service of process by making this limited appearance.

PLEASE TAKE FURTHER NOTICE that defendant shall rely on the Brief, Certification and Exhibits annexed hereto.

Any opposition must be served and filed at least fourteen days prior to the return date of this motion.

LESLIE A. FARBER, LLC

Dated: April 12, 2019

By: /s/ Leslie A. Farber
Leslie A. Farber
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